

## **AMENDMENTS TO THE CLAIMS**

The following listing of claims will replace all prior versions and listings of claims in the application.

### **LISTING OF CLAIMS**

1-84. (cancelled)

85. (currently amended) A nail for fastening framing members comprising:  
a pair of finger members having opposite first and second ends with an axial length therebetween, said finger members being integral at said first end and forming a tip configured to pierce framing members, ~~[[and]]~~ said finger members being spaced apart at said second end and forming a head configured to receive a driving force, and said finger members are substantially coplanar at said first end and twisted relative to one another at said second end;  
a slot between said finger members extending from said second end along a portion of said length toward said tip;  
a first set of teeth extending along a portion of a first finger member of said pair and projecting outwardly in a first direction; and  
a second set of teeth extending along a portion of a second finger member of said pair and projecting outwardly in a second direction, said second direction being substantially opposite said first direction.

86. (previously presented) The nail of claim 85, wherein said slot has a first section with a first width, a second section with a second width, and said first width is greater than said second width.

87. (previously presented) The nail of claim 86, wherein said second section of said slot is adjacent said second end.

88. (previously presented) The nail of claim 85, wherein each of said finger members has opposite first and second major surfaces separated by inner and outer sidewalls with said inner sidewalls facing one another and defining said slot, said first set of teeth extend along a portion of said first surface of said first finger member and said second set of teeth extend along a portion of said second surface of said second finger member.

89. (currently amended) ~~The nail of claim 88, wherein~~ A nail for fastening framing members comprising:

a pair of finger members having opposite first and second ends with an axial length therebetween, said finger members being integral at said first end and forming a tip configured to pierce framing members and said finger members being spaced apart at said second end and forming a head configured to receive a driving force;

a slot between said finger members extending from said second end along a portion of said length toward said tip;

a first set of teeth extending along a portion of a first finger member of said pair and projecting outwardly in a first direction; and

a second set of teeth extending along a portion of a second finger member of said pair and projecting outwardly in a second direction, said second direction being substantially opposite said first direction,

wherein each of said finger members has opposite first and second major surfaces separated by inner and outer sidewalls with said inner sidewalls facing one another and defining said slot, said first set of teeth extend along a portion of said first surface of said first finger member and said second set of teeth extend along a portion of said second surface of said second finger member, and

said first and second sets of teeth extend respectively along portions of said first and second finger members adjacent directly from said inner sidewalls.

90. (previously presented) The nail of claim 88, wherein a third set of teeth extend along a portion of said outer sidewall of said first finger member and a fourth set of teeth extend along a portion of said outer sidewall of said second finger member.

91. (previously presented) The nail of claim 85, wherein said slot has a generally uniform width.

92. (cancelled)

93. (previously presented) The nail of claim 85, wherein each of said finger members has opposite first and second major surfaces separated by inner and outer sidewalls with said inner sidewalls facing one another and defining said slot, and said first set of teeth extend along a portion of said outer sidewall of said first finger member and said second set of teeth extend along a portion of said outer sidewall of said second finger member.

94. (previously presented) The nail of claim 85, wherein said first set of teeth are staggered from said second set of teeth.

95. (previously presented) The nail of claim 85, wherein each tooth of said sets of teeth extends outwardly from said fingers at a non-right angle relative to said axial length.

96. (currently amended) A method of fastening framing members together with a harpoon nail having first and second sets of teeth on respective first and second fingers joined at one end to form a tip and separated by a slot at the other end and forming a head, the sets of teeth projecting outwardly in directions substantially opposite one another, and the fingers being substantially coplanar at the first end and twisted relative to one another at the second end, the method comprising:

- (a) positioning a tip of the nail adjacent two or more adjacent framing members;
- (b) applying a driving force to the nail;
- (c) driving the nail through said framing members with said driving force until a head of the nail is in contact with one of said framing members; [[and]]
- (d) elastically deforming twisted portions of the fingers toward a coplanar alignment as the nail is driven through said framing members; and
- (e) engaging at least one of said framing members with at least one tooth in at least one of the first and second sets of teeth thereby fastening the framing members together between said head and said at least one tooth.

97. (previously presented) The method of claim 96, wherein the fingers each have opposite first and second major surfaces separated by inner and outer sidewalls with said inner sidewalls facing one another and defining the slot, each of the sets of teeth extend along one of said major surfaces of one of the fingers and (d) includes engaging at least one of said framing members with said first and second sets of teeth.

98. (previously presented) The method of claim 97, wherein said first and second sets of teeth are adjacent said inner sidewalls of said first and second fingers respectively.

99. (previously presented) The method of claim 97, wherein third and fourth sets of teeth project outwardly from said outer sidewalls of the respective first and second fingers and (d) includes engaging at least one of said framing members with said third and fourth sets of teeth.

100. (previously presented) The method of claim 96, wherein the first and second fingers are resilient and (c) includes resiliently deforming the fingers of the nail as the nail is being driven through said framing members.

101. (previously presented) The method of claim 100, wherein (c) includes allowing the fingers to attempt to return to a nondeformed state after the nail has been driven through said framing members.

102. (currently amended) The method of claim 96, wherein (b) includes applying a driving force with a driving apparatus selected from the group consisting at least one of an air nailer and ram-type device.

103. (previously presented) The method of claim 102, wherein (b) includes supporting a surface of said framing members opposite the nail with a back plate.

104. (previously presented) The method of claim 96, wherein teeth in the first set of teeth are axially staggered from teeth in the second set of teeth and (d) includes engaging at least one of said framing members with at least one of said staggered teeth.

105. (previously presented) The method of claim 96, wherein the fingers each have opposite major surfaces separated by inner and outer sidewalls, said inner sidewalls face one another and define the slot, the sets of teeth extend along the outer sidewalls of the fingers and (d) includes engaging at least one of said framing members with said first and second sets of teeth.

106. (previously presented) The method of claim 96, wherein the first and second sets of teeth project outwardly from the fingers non-orthogonally relative to an axial length of the nail and (d) includes engaging at least one of said framing members with said non-orthogonally projecting sets of teeth.

107. (new) The method of claim 96, wherein (d) comprises elastically deforming twisted portions of the fingers with the framing members.